

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

**IN RE: DIGITEK® PRODUCTS LIABILITY  
LITIGATION**

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**MDL NO. 1968**

**THIS DOCUMENT RELATES TO ALL CASES**

**PRETRIAL ORDER #88**

(Dissolution of Plaintiffs' Steering Committee and Limited Function of Co-Lead Counsel)

The Plaintiffs' Steering Committee was initially established at the creation of MDL 1968 as a working group representative of a majority of the plaintiffs to perform functions relating to discovery and case management.

Similarly, Co-Lead Counsel were appointed to act as representatives for all plaintiffs at pretrial proceedings and in response to any inquiries by the court, to submit and argue any verbal or written motions on behalf of the plaintiffs, and to establish and administer an account to fund the common benefit costs incurred during litigation.

Since there are no longer active cases on the docket in this MDL, the Plaintiffs' Steering Committee is no longer needed. The role of Co-Lead Counsel has also changed, and its primary function is now the management of the settlement program and the administration and distribution of the PSC common funds and expenses for time and expenses incurred prior to the settlement.

Accordingly, it is hereby **ORDERED** that the Plaintiffs' Steering Committee be dissolved, and that counsel for each plaintiff is now solely responsible for the functions previously performed by the Plaintiffs' Steering Committee. Individual counsel is also

financially responsible for their cases as the PSC working fund has been exhausted. Co-Lead Counsel's responsibilities are hereby modified and limited to the duties relating to the settlement program and the PSC common fund and expenses ONLY.

The court **DIRECTS** the Clerk to file a copy of this order in 2:08-md-1968 and it shall apply to each member Digitek-related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2-11-cv-425.

ENTER: November 7, 2011



Joseph R. Goodwin, Chief Judge